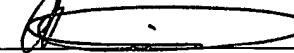




## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 1, 2003.



Alex Martinez

Applicant : Kiyoshi Miyazaki, et al.  
 Application No. : 10/611,359  
 Filed : June 30, 2003  
 Title : PETUNIA PLANT NAMED 'SUNPATIRE'  
 Grp./Div. : N/A  
 Examiner : N/A  
 Docket No. : 50632/DBP/A400

**INFORMATION DISCLOSURE STATEMENT**  
**37 CFR § 1.97(b)**

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Post Office Box 7068  
 Pasadena, CA 91109-7068  
 December 1, 2003

Commissioner:

In compliance with the duty of disclosure under 37 CFR §§ 1.56, 1.97 and 1.98, and in accordance with the provisions in the Manual of Patent Examining Procedure §§ 609 and 707.05(b), enclosed is FORM PTO/SB/08A/B listing the references that are known to applicant. Copies of each of the listed references are enclosed. This filing is timely because it is made during one of the periods described in 37 CFR § 1.97(b).

It is respectfully requested that the listed references be considered in the examination of this application and identified on the list of references cited on the patent issuing for this application. Applicant also requests that an initialed copy of FORM PTO/SB/08A/B be entered in the application file and returned to applicant with the next communication from the Office in accordance with MPEP § 609.

Respectfully submitted,  
 CHRISTIE, PARKER & HALE, LLP

By D. Bruce Prout  
 D. Bruce Prout  
 Reg. No. 20,958  
 626/795-9900

DBP/aam  
 Enclosures: PTO/SB/08A/B, w/references

FORM PTO/SB/08A/B (10-01)  
Substitute for PTO-1449A/B

INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

(use as many sheets as necessary)

DEC 08 2003

JC37 327

Attorney Docket Number	50632/DBP/A400
Application Number	10/611,359
Filing Date	June 30, 2003
Applicant(s)	Kiyoshi Miyazaki, et al.
Group Art Unit	N/A
Examiner Name	N/A

**U.S. PATENT DOCUMENTS**

EXAMINER INITIALS	Cite No. <sup>1</sup>	DOCUMENT NUMBER Number - Kind Code <sup>2</sup> (If Known)	PUBLICATION DATE MM-DD-YYYY	NAME OF PATENTEE
		PP 6,899	07-04-1989	Tsuda, et al.
		PP 6,914	07-11-1989	Tsuda, et al.
		PP 6,915	07-11-1989	Tsuda, et al.
		PP 9,322	10-10-1995	Tachibana, et al.
		5,523,520	06-04-1996	Hunsperger, et al.

**FOREIGN PATENT DOCUMENTS**

EXAMINER INITIALS	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (If Known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T <sup>6</sup> ( <input checked="" type="checkbox"/> )
		JP PBR 14306 (Filed 10-03-03)	03-25-2002	Miyazaki, et al.	English Abstract

**OTHER DOCUMENTS**

EXAMINER INITIALS	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article, title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
		GOLDSMITH SEEDS, 2003-2004 Catalog, 3 pages, 04-11-2003, published by Goldsmith Seeds, Inc., U.S.A.

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EXAMINER SIGNATURE	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at <a href="http://www.pto.gov">www.pto.gov</a> or MPEP 901.4. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English Language Translation is attached.	

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Sheet 1 of 1